

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**JIM JONES, TERRENCE M.  
SCHUMACHER, SHAD DAHLGREN,  
HAROLD G. RICKERTSEN, TODD  
EHLER, and ROBERT E. BECK III,**

**Plaintiffs,**

**V.**

**JOHN GALE, in his official capacity  
as Secretary of State of Nebraska,  
and JON BRUNING, in his official  
capacity as Attorney General of  
Nebraska,**

**Defendants.**

**CASE NO. 8:04CV645**

**ORDER**

This matter is before the Court on the Motion to Continue Stay that accompanied the Defendants' Notice of Intent to File Petition for Writ of Certiorari. The Plaintiffs oppose the motion, arguing in part that the Court lacks jurisdiction over the matter until the mandate is issued by the United States Court of Appeals. The Plaintiffs are correct that this Court does not have jurisdiction over the case until the mandate is issued.

**IT IS ORDERED:**

The Motion to Continue Stay (Filing No. 121) is denied for lack of jurisdiction.

DATED this 26<sup>th</sup> day of December, 2006.

**BY THE COURT:**

s/Laurie Smith Camp  
United States District Judge